

Re Box No. V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statements

1. Reference is made to the following documents:

- D1: H.SINNREICH AND A.B.JOHNSTON: "Internet Communications Using SIP, Chapter 9", October 1, 2001 (2001-10-01), JOHN WILEY & SONS, US 031512, XP002312305 ISBN: 0-471-41399-2
- D2: ANONYMOUS: "ITU-T Rec. Q.734 (03/93) Stage 3 Description for Multiparty Supplementary Services Signaling System No. 7" [Online] August 15, 2001 (2001-08-15), XP002312304 Found on the Internet:
URL: <http://pddocserv/specdocs/data/standards/telecom/itu-t/q/T-REC-Q.734.1-199303-I!!PDF-E.pdf> [found 2004-12-23]
- D3: H.SINNREICH AND A.B.JOHNSTON: "Internet Communications Using SIP, Chapter 12" October 1, 2001 (2001-10-01), JOHN WILEY & SONS, US, NEW YORK 031512, XP002312306 ISBN: 0-471-41399-2
- D4: CAMARILLO G ET AL: "Draft-ietf-sip-isup-03.txt: ISUP to SIP mapping" INTERNET, August 2001 (2001-08), XP002254297

2. The present application does not fulfill the requirements of Article 33(2) PCT because the subject matter of claims 1, 8 and 9 is not based on an inventive step with regard to Article 33(3).

- 2.1 Document D1 is regarded as the nearest prior art in relation to claim 1. It discloses (the references in brackets relate to this document):

Method for interworking between protocols (p.127, section "SIP and PSTN interworking"), having a connection between a first subscriber and a second subscriber, including at least one data channel having at least one transmitter at one end (p.128, Fig. 9.1; (Telephones), (SIP phones), (Media: TDM PCM), (Media: RTP), a performance feature which, during its execution, provides a temporary disconnection of the data channel (p.141, paragraph "Conference Calling"), a first protocol for controlling the first subscriber (p.128, Fig. 9.1; Signaling: ISUP,,,)), a second protocol for controlling the second subscriber (p.128, Fig. 9.1; (Signaling: SIP)) having the following steps: configuring the connections in the context of

executing the performance feature (p.132, Fig. 9.2 and p.134, Fig. 9.3), deactivating subscribers' transmitters and activating the said transmitters (p.139, paragraph "Call Hold").

The subject matter of claim 1 differs therefore from the known method because i) a configuration notification is sent to the subscriber concerned and ii) interworking of the notification onto the second protocol takes place for the subscriber whose transmitter was deactivated during execution of the performance feature, provided the type of configuration makes activation of the transmitter necessary.

The object to be solved by the present invention can therefore be seen as that of specifying a suitable starting point for the protocol interworking in the case of a performance feature with deactivation and activation of transmitters.

The solution proposed in claim 1 of the present application cannot be considered inventive for the following reasons (Article 33(3) PCT):

The performance feature of a teleconference in a purely SIP-based network is known to a person skilled in the art (see D1, p.141, paragraph "Conference Calling" and D3, table 12.1). For an implementation of the performance feature in a mixed network with circuit-switched parts it is also known to a person skilled in the art from the relevant standard documents (e.g. document D2) how the performance feature works in purely circuit-switched networks (D2, p.22, Fig. 2-1; in particular (Calls A-B held and A-C active)). Furthermore it is known from the signaling flow shown in Fig. 2-1 of D2 that in the case of this performance feature this amounts to a notification of the configuration to the subscribers concerned (D2, Fig.2-1; (CPG: conf. establ.)), in agreement with the above mentioned feature i). Moreover it is also known to a person skilled in the art that for the SIP subscribers to a conference, an "on-hold" status in the context of the conference leads for this subscriber to the situation that the transmitter of the said subscriber is deactivated (D1, p.139, paragraph "Call hold"). In order that such a subscriber can actively participate in an established conference, that subscriber's transmitter must be reactivated. For a person skilled in the art it would therefore be an obvious solution for the above problem to translate the notification of the configuration, which is already provided as a signaling message in the first protocol, into such a message in the second protocol (i.e. "interwork"), especially as it is already known that this message produces a reactivation of the previously deactivated transmitter (D1, p.139, paragraph "Call hold").

The subject matter of **claim 1** is therefore not based on an inventive step (Article 33(3) PCT).

2.2 The same reasoned statement applies to claims 8 and 9.

A computer program product according to claim 8 for executing a non-inventive method is not inventive. Moreover the use of computer program products as such for implementing communication methods is generally known.

A device according to claim 9 for executing a non-inventive method is not inventive. Such devices are likewise basically known in the prior art, see for example (D1, Fig. 9.1, (SIP servers)).

The subject matter of **claims 8 and 9 is therefore not based on an inventive step** (Article 333(3) PCT).

3.1 The dependent claims 2-4 and 10 contain no features that, in combination with the features of any claim on which they are based, satisfy the requirements of the PCT with regard to novelty or inventive step.

Claim 2: The form of the performance feature as a conference is known from D1 (D1, p.141, paragraph "Conference Calling") in combination with D2 (D2, Fig. 2-1).

Claim 3: It is known from document D2 that the integration of a connection into a conference first of all puts this connection into the hold status (D2, chap. 2.5.2.1.1.2); and the fact that in the case of a SIP subscriber the hold status is produced by deactivation is known from document D1 (D1, p.139, paragraph "Call hold"). The isolation of a conference connection is also known from D2 (D2, Fig. 1-3).

Claim 4: It is an obvious technical measure to execute interworking only when further necessary processes are controlled by so doing, e.g. in order to reactivate a deactivated transmitter.

Claim 10: An arrangement which includes a non-inventive computer program product and a non-inventive device is not inventive.

3.2 The combination of features contained in dependent claims 5-7 is neither known from the existing prior art nor is it suggested by it. The reasons for this are as follows:

The prior art contains extensive known proposals which describe the basis for mapping from say ISUP onto SIP messages (see for example D4, passim). However, the precise mapping regulations for individual signaling messages and parameters appear according to **dependent claims 5-7 not to have been disclosed by the prior art.**

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(SUPPLEMENTARY SHEET)**

International application No. PCT/EP2004/052031

Re Box No. VIII:

Certain observations concerning the international application (clarity)

The expression "in particular" used in claims 2, 9 and 10 produces no limitation on the extent of protection of these claims, that is, the feature that follows this expression is considered wholly optional (PCT Guidelines, II - 5.40).

The features introduced in this way are therefore not taken into account in the well-founded observations under Box V.